

Municipal power to contract for private jails
(HB 2119 by Lucio/Farabee)

DIGEST: HB 2119 would have authorized cities and municipalities to contract with private firms or with counties for the financing, design, construction, operation and management of jails and related facilities. The bill was amended to include provisions applicable only to Houston: no jail facility could be established within one-half mile of a public school, higher education institution or place of worship, and no prisoner could be held overnight in a city jail for an offense punishable by confinement in a county jail.

REASONS
FOR VETO: "HB 2119 was amended in the Senate to prohibit the City of Houston from housing prisoners overnight. I can see no reason for this provision, and I am advised it would result in massive dislocations in the City of Houston's law enforcement and criminal justice system." The governor said he "reluctantly" vetoed the bill because of the amendment.

AUTHOR'S
VIEW: Rep. Eddie Lucio said he was surprised by the veto, but accepted the governor's decision as part of the legislative and governmental process. The problem amendment was added as a legislative courtesy to certain Houston lawmakers, and could possibly be removed after negotiations, he said.

Rep. Lucio said the bill had great merit and utility and would provide a valuable tool to cities. He said he would introduce the bill again.

NOTES: The House Research Organization analysis of HB 2119 appeared in the May 13, 1987 Daily Floor Report.